



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: KORSGREN=1

In re Application of:)	Art Unit: 1614
)	
Olle KORSGREN et al)	Examiner: Donna JAGOE
)	
Appln. No.: 09/890,936)	Washington, D.C.
)	
Date Filed: November 7, 2001)	Confirmation No. 9165
)	
For: NOVEL USE WITHIN)	
TRANSPLANTATION SURGERY)	

SECOND DECLARATION UNDER 37 CFR 1.132

Olle Korsgren, Bo Nilsson and Rolf Larsson hereby
each solemnly declare as follows:

We are co-applicants and co-inventors of the above-identified application. We each have both M.D. and Ph.D. degrees. We earlier submitted a declaration in this application, also under 37 CFR 1.132, which we reiterate and confirm, and which has attached thereto our CV's which are made a part of this declaration as well.

Each of us confirms familiarity with the prior art documents cited and relied upon by the U.S. patent examiner and the commentary of the U.S. examiner in conjunction with reliance on such prior art citations. We amplify our earlier declaration as follows:

Encapsulation (also referred to as
microencapsulation) implies that the islets are confined

within a polymer membrane that is not in direct contact with the islets. Extensive efforts have been spent on preparing microcapsules primarily using alginates as the capsules-forming material in accordance with what is disclosed in Wagner and Soon-Shiong.

A recent article (ref. 1), Dufrane et al¹, is representative for the current state-of-the-art. As illustrated in Fig 1 in the cited article, an optimal capsule should be a sphere with a diameter of 650- 700 μm . Wagner specifies a diameter of 500 μm (p. 6, item 2, 1.3-4 in translated document).

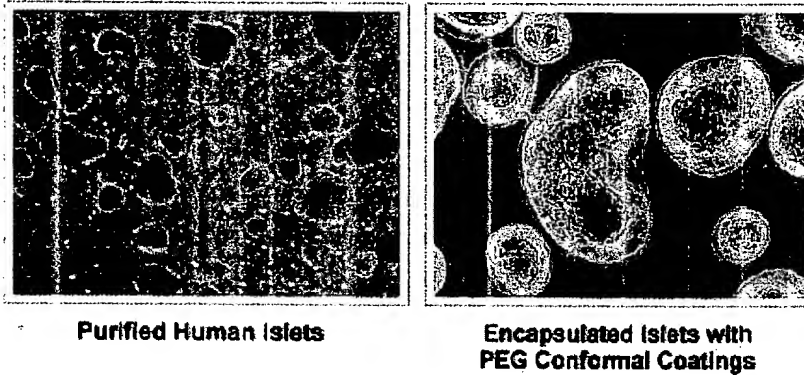
Considering that the islets have a size of 50-300 μm , we state as fact beyond any doubt that one or several islets will be enclosed in each microcapsule with considerable dead space between the islet(s) and the enclosing membrane.

Even with the most advanced technology using polyethylene glycol as the capsule-forming material, as being used by e.g. Novocell Inc. (see-www.novocell.com), the capsules of the prior art leave a dead space of 25-50 μm between the cell surface and the polymer membrane (see fig. 1 below). The dead space creates delayed response times due to the fact that glucose must first diffuse through the membrane,

¹ 1. Dufrane D., Goebbels R-M., Saliez A., Guiot Y., and Gianello P.: Six-months survival of microencapsulated pig islets and alginate biocompatibility in primates. Proof-of-concept. Transplantation, 9, 1345-1353, 2006

and then the glucose has to be transported by a concentration gradient across the dead space until it reaches the cell surface.

Fig 1. (microphotographs obtained at www.novocell.com)

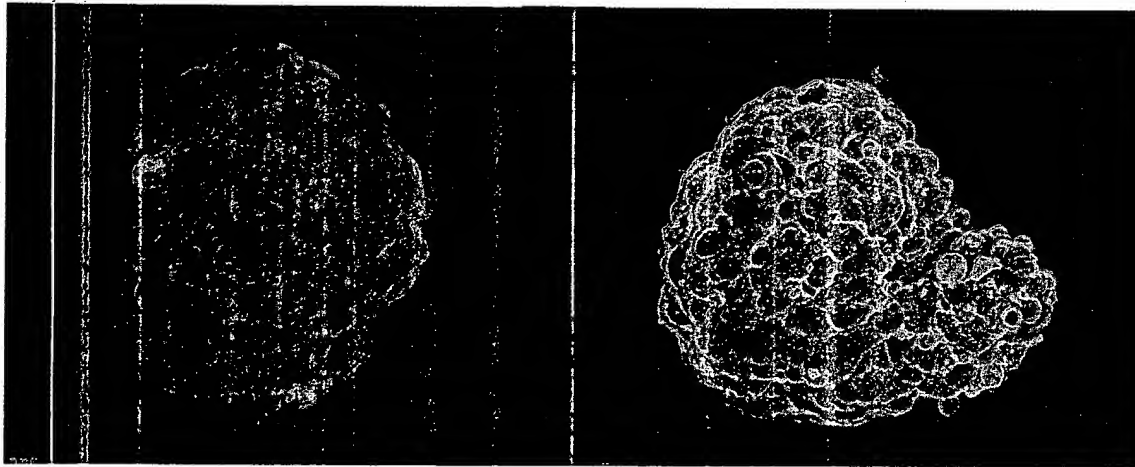


The insulin response by the cell will be delayed and the occurrence of insulin in the blood is further delayed by the dead space and diffusion through the membrane. The end result is that the actual insulin response in blood will be too late and may even induce hypoglycemia, if increased levels of insulin are generated too late when the glucose levels are already going down.

On the contrary, in our invention, the material used, e.g. Corline Heparin Conjugate, is adsorbed directly in close contact with individual islets with no dead space, whereby glucose in blood interacts directly with the islet cells so that a physiological response with regard to release of insulin is achieved. The following picture (Fig. 2), prepared in our laboratory, shows one islet cell coated with

heparin according to our invention and examined by confocal microscopy using fluorescently labelled antithrombin that binds to heparin. It is evident that the coating follows the contour of the cell and is in direct contact with the cell surface.

Fig. 2



Islet of Langerhans, non-modified (left) and coated with the Corline Heparin Surface (right). Antithrombin (which has strong affinity for heparin) labelled with a fluorescent dye, Alexa 488, was allowed to adsorb to the surface. Islets were then examined in a Zeiss LSM 510 Meta confocal microscope (Carl Zeiss, Jena, Germany) equipped with an Axiovert 200 microscope stand. Z-stacks of the islet surfaces were acquired using the 488nm laser line, a 20X objective and a 505-550 BP filter. Three-dimensional projections of the acquired z-stacks were analyzed using Imaris software (Bitplane, Zurich, Switzerland). The non-modified islet (left) only displays weak autofluorescence, whereas the adsorbed heparin is

visualised as a smooth and coherent coating that follows the contours of the islet.

There is another distinct difference between encapsulated islets such as those of Wagner and Soon-Shiong, and heparin coated islets according to our invention that needs to be emphasised. The spherical membrane that encapsulates the islets of the prior art is an insoluble polymer with a cross-longitudinal network of bonds (thus it forms a membrane barrier between the islet surface and the surroundings), whereas the material we use, e.g. Corline Heparin Conjugate, is a soluble macromolecule that is adsorbed as discrete molecules onto the cell surface with no cross-longitudinal linkages being formed between the conjugate molecules (thus no membrane barrier is formed between the islet surface and the surroundings).

Soon-Shiong et al discusses "microcapsules prepared from crosslinkable polysaccharides, polycations and/or lipids and use therefor" (title of the patent). No part of the Soon-Shiong document demonstrates or discusses the use of heparin or heparin conjugates for coating islets without polymerization (or crosslinking, alternatively gel formation). On the contrary, examples 1-7, 14-17, 19, 21-25, 27-28 and 30-32 are specifically related to crosslinking, gels, polymerization etc. Therefore, Soon-Shiong et al do something

In re of Appln. No. 09/890,936

quite different from our invention, and this document leads away from our invention.

In their patent application, Wagner et al mention islets of Langerhans in Claim 3 and heparin used to antagonize agglomeration in claim 7. However, no disclosure of our present invention can be found in the patent application of Wagner et al. On the contrary, Wagner et al only describe the use of macro- and micro-encapsulation of islet cells, and thereby leads or directs worker in our field away from our invention.

As clearly explained in our previous Declaration, the encapsulating membrane composed of an insoluble polymer proposed by Wagner et al and Soon-Shiong et al constitutes a barrier to immunologically active cells and molecules, whereas no such barrier is created by adsorption of the heparin, e.g. Corline Heparin Conjugate. We reiterate with strong emphasis that it is absolutely clear and certain that the chemical constitution and diffusion characteristics are fundamentally different between the two methods, and that there is no chemical or technical rationale on basis of which one could accurately maintain that adsorption of the Corline Heparin Conjugate would lead to encapsulation in the sense of Wagner et al and Soon-Shiong et al.

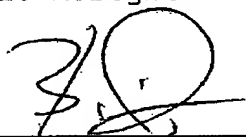
In re of Appln. No. 09/890,936

We hereby further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 04/02/2007

By 
Olle Korsgren

Date: 04/02/2007

By 
Bo Nilsson

Date: 2007-04-02

By 
Rolf Larsson

Six-Month Survival of Microencapsulated Pig Islets and Alginate Biocompatibility in Primates: Proof of Concept

Denis Dufrane,¹ Rose-Marie Goebbels,¹ Alain Saliez,¹ Yves Guiot,² and Pierre Gianello^{1,3}

Background. Pig islets xenotransplantation remains associated with a strong humoral and cellular xenogeneic immune responses. The aim of this study was to assess the long-term biocompatibility of alginate encapsulated pig islets after transplantation in primates.

Methods. Adult pig islets encapsulated in alginate under optimal conditions ($n=7$) or not ($n=5$) were transplanted under the kidney capsule of nondiabetic *Cynomolgus maccacus*. Additional primates received empty capsules ($n=1$) and nonencapsulated pig islets ($n=2$) as controls. Capsule integrity, cellular overgrowth, pig islet survival, porcine C-peptide and anti-pig IgM/IgG antibodies were examined up to 6 months after implantation.

Results. Nonencapsulated islets and islets encapsulated in nonoptimal capsules were rapidly destroyed. In seven primates receiving perfectly encapsulated pig islets, part of the islets survived up to 6 months after implantation without immunosuppression. Porcine C-peptide was detected after 1 month in 71% of the animals. The majority of grafts (86%) were intact and completely free of cellular overgrowth or capsule fibrosis. Explanted capsules, after 135 ($n=2/2$) and 180 ($n=2/3$) days, demonstrated residual insulin content and responses to glucose challenge (stimulation index of 2.2). Partial islet survival was obtained despite an elicited anti-pig IgG humoral response.

Conclusions. Optimal alginate encapsulation significantly prolonged adult pig islet survival into primates for up to 6 months, even in the presence of antibody response.

Keywords: Pig islet transplantation, Xenotransplantation, Microencapsulation, Primate, Biocompatibility.

(*Transplantation* 2006;81: 1345–1353)

The need for permanent immunosuppression and the shortage of pancreas donors remain major hurdles to the widespread use of pancreatic islet cell transplantation to curing type 1 diabetes (1, 2).

In order to protect islet cells from immune reaction without the need for chronic immunosuppression, microencapsulation has been considered and demonstrated to be effective in mice (3–6). In most studies, islets have been encased in alginate-polylysine-alginate microcapsules (7) but the cytotoxicity of polyaminoacid and the mechanical instability of microcapsules limit their application (5, 8, 9). Several groups

have recently reported that encapsulation in a simple microbead made of alginate is able to protect pig pancreatic cells against allo- or xenorejection in diabetic mice (4, 5, 10, 11). However, a question remains about the putative application of this method in a preclinical large animal model.

In order to overcome the shortage of human pancreases, pig islets represent an important therapeutic alternative (12). Although the strong humoral and cellular xenogeneic immune responses appear difficult to overcome (13), pig islet survival has been demonstrated for up to 53 days in primates by using anti-thymocyte globulins (14). Recent results reported by B. Hering (personal communication) seem, however, to show that the use of a heavy immunosuppressive regimen (5 or 6 drugs), allows pig islets to survive in primates for up to months. Such an immunosuppressive regimen seems unlikely to be acceptable in humans, but these results are, however, encouraging. This result suggests that other alternatives such as microencapsulation should be evaluated in the pig to primate model.

This study is the first to assess the factors involved in successful pig islet immunoprotection by alginate capsule when transplanted in non-diabetic primates without any immunosuppression. The impact of several parameters (stabilization, culture period) involved in vivo and in vitro alginate capsule biocompatibility, as well as the ability of alginate capsules to protect pig islets in primates from the strong xe-

This work was supported by grants from the Foundation Louvain grant from Fonds de la Recherche Scientifique Médicale (FRSM; grant 3-4503-03), Brussels, and a grant from Fonds Spécial de Recherche (FSR), Communauté Française, Belgium.

¹ Laboratory of Experimental Surgery, Université catholique de Louvain, Faculté de Médecine, Brussels, Belgium.

² Department of Pathology, Cliniques Universitaires Saint-Luc, Brussels, Belgium.

³ Address correspondence to: Pierre Gianello, M.D., Ph.D., Laboratory of Experimental Surgery, Université Catholique de Louvain, CHEX 5570, Avenue Hippocrate 55, B-1200 Brussels, Belgium.

E-mail: gianello@chex.ucl.ac.be

Received 10 November 2005. Revision requested 19 December 2005.

Accepted 13 January 2006.

Copyright © 2006 by Lippincott Williams & Wilkins

ISSN 0041-1337/06/8109-1345

DOI: 10.1097/01.tp.0000208610.75997.20

nogeneic immune response were evaluated for up to six months.

MATERIALS AND METHODS

Pig Islet Cell Isolation and Encapsulation

Adult pig pancreases were harvested from Landrace pigs (>200 kg, $n=10$) at the local slaughterhouse (Centre A. de Marbaix, Louvain-la-Neuve, Mr. Collignon) and islets were isolated using a previously described technique (15).

Freshly isolated pig islets were encapsulated in an SLM 100 alginate matrix (Batch 110064, FMC BioPolymer, Drammen, Norway) containing a high concentration of mannuronic acid (High-M, 56%). Freeze-dried alginate (viscosity: 174 mPa.s; endotoxin <25 EU/gram), was diluted in a MOPS 1X washing buffer (Inotech Encapsulation AG, Dottikon, Switzerland) at a concentration of 1% w/v. Pig islet cells were suspended in alginate at a concentration of 10,000 islet cells/ml and encapsulation was performed by the Inotech Encapsulation AG device (serial number: LS-01.005; Dottikon, Switzerland) (Dufrane et al., manuscript submitted). Quality of capsule was microscopically evaluated (on 100 capsules samples) in order to determine the capsule diameter and the percentage of non-well shaped and broken capsules.

Microcapsule Culture Condition

In order to obtain optimal stability of microcapsule, several CaCl_2 concentrations were tested in culture. Empty capsules were cultured in HAM-F10 medium (NV Invitrogen, Merelbeke, Belgium) and supplemented with either 0.3, 1.8, 2.5 or 5 mM CaCl_2 for 2, 18 and 24 hr of incubation. One hundred capsule diameters, for each series, were examined on an inverted phase contrast microscope with a calibrated grid in the eyepiece.

Animal Recipients

Non-diabetic Cynomolgus monkeys (3–6 years old; 4–7 kg, $n=15$) were used as recipients and were housed according to the guidelines of the Belgian Ministry of Agriculture and Animal Care. All procedures were approved by the local Ethics Committee for Animal Care of the Université Catholique de Louvain. Three experimental groups were designed: one primate received empty capsules (Negative Control, Ctrl-); 2 primates were transplanted with non-encapsulated pig islets (Positive Control, Ctrl+) and 12 primates were transplanted with pig encapsulated islets (Experimental Group).

In this latter group, two primates received pig encapsulated islets which had not been cultivated for 18 hr prior to transplantation (without capsule stabilization), three animals received pig encapsulated islets which had been cultivated for 18 hr prior to transplantation but in medium supplemented by 10% v/v of FBS (NV Invitrogen, Merelbeke, Belgium), and finally, seven primates received pig encapsulated islets after an 18 hr period of culture in a medium free of serum.

Transplantation of Microencapsulated Islets

Kidney subcapsular space was chosen since it seems a less immunoreactive implantation site for encapsulated xenoislets than peritoneum (Dufrane et al., September 2005, submitted in Biomaterials).

After anesthesia, kidneys were exposed, by a midline laparotomy, and a 20-gauge catheter (Becton Dickinson, Aalst, Belgium) was placed between the kidney parenchyma and the capsule. Each animal received 15,000 microencapsulated islets equivalent to (IEQ)/kg of body recipient, collected in a 10 ml syringe. Positive control animals received the same number of non-encapsulated pig islets under the kidney capsule. Negative control animal received a volume of empty capsules corresponding to the volume of 15,000 IEQ/kg encapsulated pig islets (a mean of 7 ml). Each graft was transplanted under the capsule of one kidney per primate.

Animal Follow-up

Blood glucose was monitored during the first 24 hr posttransplantation to avoid hypoglycaemia. Blood samples were taken (via the femoral vein) prior to transplantation (three times to determine the Porcine C-peptide baseline) and 1 hr, days 1, 7, 30, 60, 90, 135 and 180 posttransplantation. Porcine C-peptide (Linco Research, Nuclilab BV, BB EDE, The Netherlands), anti-porcine antibodies (see below) and creatinine (Kodak Ektachem DTSC II; Ortho-Clinical Diagnostics, INC, Rochester, NY, USA) levels were measured on primate sera. Body Weight was monitored weekly.

Detection of Anti-porcine IgM and IgG

Porcine lymphocytes were used as antigenic targets for the detection of anti-porcine antibodies. Ten millilitres of heparinized blood, obtained from Belgium landrace pigs (12–15 weeks old), were diluted in 25 ml of RPMI and lymphocytes were recovered after centrifugation across a density gradient on lymphocyte separation medium (LSM; Biochrom AG, Berlin, Germany). Specific anti-porcine IgM or IgG antibodies were assessed by Flow Cytometry using a fluorescence-activated cell sorter (Facsort, Becton Dickinson, BD Erembodegem, Aalst, Belgium). The 8×10^5 porcine lymphocytes/tube were incubated 30 min with 20 μl of serum from each experimental primate (primate serum was used without dilution and decompartmented at 56°C). After incubation, at 4°C, three washes were performed with HBSS solution. FITC-labeled rat anti-human IgM (LO-BM2) and IgG (LO-HG22) antibodies (IMEX, Université Catholique de Louvain, Brussels, Belgium) were incubated with lymphocytes and washed three times after 30 min of incubation. These data were acquired and processed using CELL Quest software (BD Bioscience). The mean fluorescence intensity (MFI) and percentage of lymphocyte binding anti-porcine antibody were assessed.

Assessment of Explanted Capsules

Under anesthesia, nephrectomy was performed and the microcapsules were recovered 30, 90, 135 and 180 days after transplantation. Macroscopic quality of the graft was assessed as the following score in 3 groups: no graft fibrosis (0%); >50% of entrapped capsules in fibrosis and total graft fibrosis (100%). The proportion of capsule overgrowth, which was defined as the percentage of capsules with more than 50% of surface covered by cells, was microscopically evaluated on a mean of 400 capsules/explanted graft. The proportion of broken capsules and the proportion of capsules containing dithyzone (DTZ) staining islets were also evaluated microscopically.

The ability of encapsulated adult pig islets to produce insulin 135 and 180 days after transplantation was assessed by a static glucose challenge. Prior to the test, explanted capsules had been cultivated in 75 cm² flasks, for 15 hr, on RPMI 1640 glucose 5 mM supplemented with 10% FBS at 37°C. After culture, encapsulated pig islets were removed from the flasks, washed three times with RPMI 1640 glucose 5 mM and incubated for 24 hr, in RPMI 1640 supplemented with glucose 5 mM, 15 mM or 15 mM + Forskolin 1 μ M (37°C). After incubation, supernatants were collected and stored at -20°C until measurement of insulin by a double antibody radioimmunoassay. Insulin content of the microencapsulated pig islets was measured in samples from each recipient. Microcapsules were added to 500 μ l acid-ethanol solution, sonicated and kept at -20°C. Results of insulin secretion are given in percentage of insulin content per islet. Insulin secretion activity and insulin content were compared with the preimplantation values.

Statistics

Values are presented as means \pm SD (excepted when specified otherwise). The statistical significance of differences was tested by a one-way analysis of variance (ANOVA) with a Bonferroni posthoc test. The Mann-Whitney *U*-test was used to analyze the insulin secretion of explanted capsules. The statistical tests were carried out using Systat version 8.0. Differences were considered to be significant at $P < 0.05$.

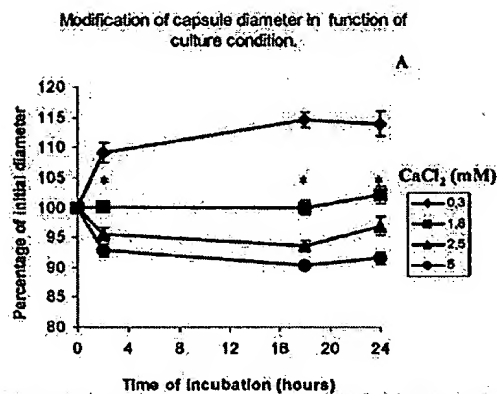
RESULTS

Parameters Conditioning "In Vitro and In Vivo" Biocompatibility

Size of Microcapsules and CaCl₂ Concentration

After encapsulation, the mean diameter of empty capsules was 653 ± 22 μ m ($n = 460$ from three independent experiments). Incubation of capsules for 18 or 24 hr in a culture medium supplemented with 0.3 mM CaCl₂ provoked a sig-

FIGURE 1. (A) Stabilization of the capsule diameter prior to transplantation. Stable capsule diameters were obtained in a medium containing 1.8 mM CaCl₂ with an incubation time of 18 hr (* $P < 0.005$ for capsule diameter with 1.8 mM vs. 0.3/2.5/5 mM CaCl₂). Significant swelling and retraction were observed in capsules incubated in medium containing low (0.3 mM) and high (2.5/5 mM) concentrations of CaCl₂ (300 capsules were evaluated for each series from three independent experiments), respectively. Transplantation of non-optimal (B) and optimal (C) encapsulated pig islets beneath the kidney capsule (location bar = 100 μ m). Note that graft fibrosis (D) and strong fibrosis (*) reaction, surrounding non-optimal capsules, were 1 month after implantation. No graft fibrosis and free-capsules were observed, 1 month after transplantation, in case of optimal capsules transplantation (E). In addition, insulin positive cells were found, at day 30 posttransplantation, inside optimal capsules (G; immunostaining for anti-insulin; original magnification: $\times 2.5$) in contrast to capsules from non-optimal conditions (F; no staining for insulin; original magnification: $\times 2.5$).



NON-OPTIMAL ENCAPSULATION OPTIMAL ENCAPSULATION

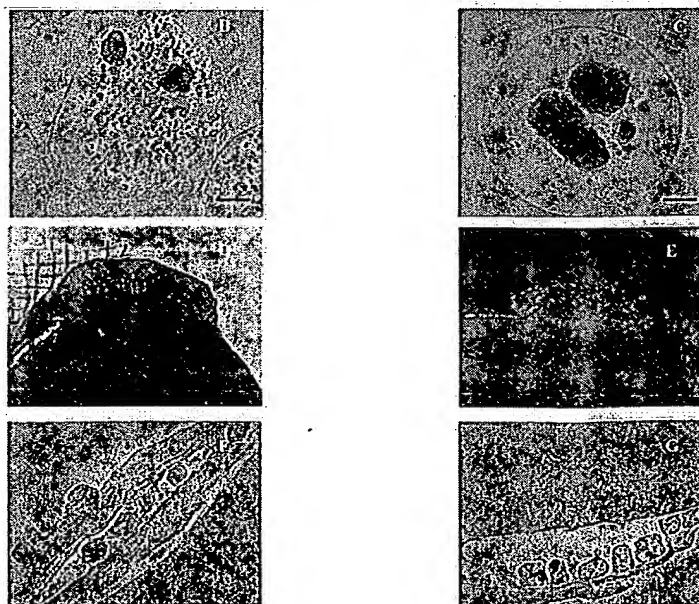


TABLE 1. Scoring of encapsulated pig islets after explantation

Animal number	Time of graft explantation	Macroscopic evaluation of graft (% of fibrosis)	Microscopic evaluation of graft (% of total capsule)			Porcine C-peptide (ng/ml) at day 30
			Degree of capsule overgrowth	Degree of broken capsule	Capsule containing DTZ ⁺ cells	
Non-optimal encapsulation						
FBS						
001	30	100	ND	ND	ND	0
002	30	100	ND	ND	ND	0
003	30	100	ND	ND	ND	0
Without preimplant 18-hr culture						
004	30	50	94	86	0	0.04
005	30	100	ND	ND	ND	0.03
Optimal encapsulation						
006	30	0	3	2	54	0.119
007	90	0	2	6	32	0.106
008	135	0	1	0	17	0.288
009	135	0	6	4	12	0.157
010	180	0	5	0	6	0.199
011	180	50	32	26	0	0.049
012	180	0	8	12	3	0.053

Capsules were removed, from the primate's kidney 30, 90, 135 and 180 days after transplantation. Two-independent investigators evaluated the grafts. The degree of cellular overgrowth, broken capsules and DTZ contained islets were microscopically evaluated on 400 capsules for each graft. ND, nondetermined since all the grafts were entrapped in fibrosis.

nificant swelling of capsules ($+12.5\%$ of initial diameter prior to culture ($745 \pm 42 \mu\text{m}$), $P < 0.005$) (Fig. 1A). No significant modification of the diameter was observed for capsules incubated in culture medium supplemented with 1.8 mM CaCl_2 for 2 h ($703 \pm 33 \mu\text{m}$), 18 h ($698 \pm 56 \mu\text{m}$) or 24 hrs ($707 \pm 69 \mu\text{m}$). In contrast, incubation in medium with higher CaCl_2 concentrations (2.5 and 5.0 mM) induced a significant reduction in capsule diameter (-6.6% , $P < 0.005$) as compared to the diameter obtained just after encapsulation.

Culture of Microencapsulated Islets Prior to Implantation

In order to stabilize the microcapsules, and obtain long term biocompatibility of encapsulated pig islets, preimplantation culture for 18 or 24 hr is necessary. Two primates that were immediately implanted after encapsulation demonstrated a strong cellular/fibrosis reaction against the graft after 1 month (Table 1, animals 004-005).

Three animals which received pig encapsulated islets cultivated prior to transplantation in CMRL 1066 supplemented with bovine serum, encapsulated islets were rapidly destroyed (< 30 days) and massive cellular overgrowth and fibrosis were observed (animals 001-3) (Table 1; Fig. 1, D and F).

In these five primates, no porcine C-peptide was detected at day 30 posttransplantation (Table 1, Fig. 2). In contrast, primates transplanted with capsules cultured in optimal conditions demonstrated the biocompatibility of alginate encapsulated pig islets (see below, Table 1; Fig. 1, E and G).

Shape of Microcapsules

In order to obtain a long term biocompatibility of capsule, a regular, spherical shape of capsule is necessary (Table 1, Fig. 1C). One primate (animal 011) that received pig

islets in capsules 38% of which were not well formed (Fig. 1B) displayed significant fibrosis ($> 50\%$) after 6 months. In this case, cellular overgrowth (32%) and capsular breakage (26%) were observed (Table 1). In the other primates that received a mean of $91 \pm 5\%$ of well-formed capsules (Fig. 1C), fibrosis or cellular overgrowth was not evidenced.

A clear relationship between the capsule shape and the purity of islets preparations was evidenced. The exocrine contamination disturbs the laminar jet of the encapsulation device thereby increasing the proportion of non-well shaped capsules. In this study, the purity was constantly over or equal to 90% ($94 \pm 2.6\%$; $n = 10$) to be able to use our device.

Ideal Preparation of Alginate Microencapsulated Pig Islets

These preliminary data allowed us to determine the following best condition for in vivo experiments: the best regime was to culture pig encapsulated islets in 17 ml CMRL 1066 at 1.8 mM CaCl_2 for 18 hr, in 75 cm^2 non-tissue culture treated flask at a concentration of 10,000 capsules/ flask in a serum-free medium. In 6 out of 7 remaining primates, no graft fibrosis or cellular overgrowth was observed after 3, 4 or 6 months whether the microencapsulated pig islets were cultivated in the appropriate medium and when over 92% of capsules were well formed (Table 1).

Transplantation of Non-encapsulated Pig Islets and Empty Capsules

After transplantation of non-encapsulated pig islets under the kidney capsule of 2 primates, a peak of porcine C-peptide was evidenced 1 hr after transplantation (range 2.319–6.122 ng/ml). Porcine C-peptide was, however, below the detection threshold (< 0.1 ng/ml) 7 days after transplantation (Fig. 2). After graft removal and tissue fixation, a strong

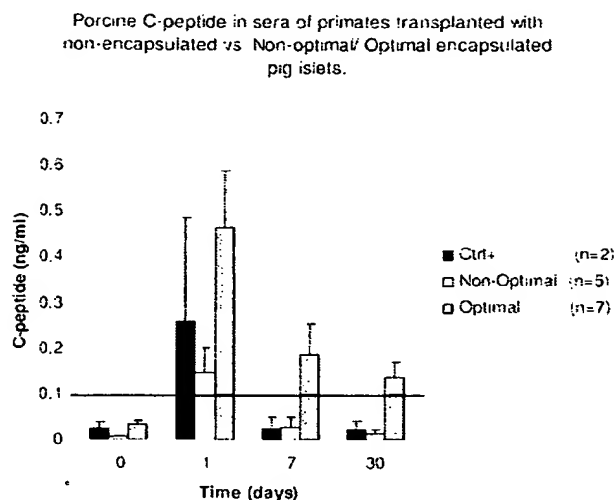


FIGURE 2. Porcine C-peptide level evolution in primates transplanted with non-encapsulated pig islets (n=2; Black) or non-optimal (n=5; White) / optimal (n=7; Grey) encapsulated pig islets. After 30 days of optimal capsules transplantation, porcine C-peptide was detected in 71% of transplanted animals (5/7 primates). No porcine C-peptide was detected 2 days after the implantation of free and non-optimal encapsulated pig islets (<0.1 ng/ml, black line). Mean \pm SEM.

cellular reaction was observed 2 and 7 days after transplantation (Fig. 3). The cellular infiltration was essentially composed of CD3 (lymphocyte) and CD68 (monocyte-macrophage) positive cells (Fig. 3, B and C). Complement C3 deposition was evidenced on the graft, as soon as 2 days after transplantation (Fig. 3D). Empty capsules did not induced inflammatory and immunological reactions (data not shown).

Encapsulation Prolongs Pig Islet Survival

After stabilization, encapsulation of pig islets by high-M alginate improved graft survival after transplantation into non-diabetic primates (n=7). A mean level of 0.14 ± 0.08 ng/ml of porcine C-peptide was detected until day 30 post-transplantation, in the sera of 7 primates. However, 2 primates had only a detectable level of porcine C-peptide (>0.1 ng/ml) until 7 days after transplantation (Fig. 2, Table 1). Level of C-peptide was significantly higher than the level obtained in naive animals (0.03 ± 0.02 ng/ml). Dithizone and insulin positive cells were found in one graft after removal at day 30 posttransplantation (n=1). No fibrosis and no cellular overgrowth were observed in this graft (Table 1). Porcine C-peptide was detected in 2 recipients after 60 days of transplantation (0.266 and 0.193 ng/ml). Although no porcine C-peptide was detected in primate sera over 90 days posttransplantation, no graft fibrosis, no capsule overgrowth and insulin positive cells were observed (Table 1). After 135 (n=2) and 180 (n=3) days of transplantation, no graft fibrosis and fewer than 10% of capsules presenting cellular overgrowth were observed in 5 out of 6 primates (Table 1, Fig. 4, A and B). Dithizone positive cells were found inside grafts

after 135 and 180 days of transplantation (Table 1, Fig. 4, C and D).

No significant modification of body weight and creatinine level was observed in the 7 primates receiving well encapsulated pig islets 4 to 6 months after implantation.

Microencapsulated Pig Islets Are Viable and Functional 4 and 6 Months after Implantation

Prior to transplantation, a mean viability of $84 \pm 6\%$ (by Trypan Blue exclusion assay) was obtained for encapsulated pig islets (n=10). Transmission electron microscopy demonstrated the integrity of pig islets after encapsulation (data not shown). Prior to implantation, encapsulated pig islets (islets from 3 pig pancreases used for animals 008-12) demonstrated the capacity to produce insulin after glucose stimulation: an increased insulin release after exposure to glucose 15 mM supplemented with cAMP-raising agent (Forskolin 1 μ M) was observed: $70.7 \pm 15.1\%$ vs. $31.6 \pm 9.7\%$ of insulin content for glucose 15 mM + Fsk 1 μ M vs. glucose 5 mM, respectively. The mean stimulation index (SI), calculated as the fold-increase over baseline (% of insulin content at glucose 5 mM), was calculated at 2.5 ± 1.1 .

Capsules were removed 135 (n=2) and 180 (n=3) days after transplantation and were incubated in the presence of different concentrations of glucose to assess the function of pig islets from explanted capsules. An increase in insulin release, after exposure to glucose 15 mM supplemented with Forskolin, was observed for pig encapsulated islets removed at day 135 (animals 008-009): $6.6 \pm 2.3\%$ vs. $2.9 \pm 0.9\%$ of insulin content for glucose 15 mM + Fsk 1 μ M vs. glucose 5 mM ($P=0.028$, n=2; Fig. 4E). The mean SI was calculated at 2.2 (range 2.0–2.7). After 180 days of transplantation, one graft did not demonstrate insulin content and the capacity to secrete insulin. This correlated with graft fibrosis and capsule overgrowth (Table 1, animal 011). Among the 2 other cases (animals 010-012), one pig islet graft demonstrated the capacity to increase insulin secretion after exposure to glucose 15 mM + Fsk 1 μ M ($8.4 \pm 3.7\%$ vs. $4.7 \pm 1.9\%$ of insulin content for glucose 15 mM + Fsk 1 μ M vs. glucose 5 mM) corresponding to a SI at 1.8 (Fig. 4F). Follow up at the same time, observed insulin secretion, but no response to increasing glucose concentrations or the cAMP-raising agent were demonstrated in the second animal.

However, a significant decrease in insulin content was observed in capsules explanted from primates after 135 (2.2 ± 1.9 ng/islet) and 180 (1.1 ± 1.0 ng/islet) days of transplantation ($P<0.005$) as compared to those extracted from capsules prior to transplantation (32.2 ± 24.3 ng/islet) for capsules containing a mean of 2–3 pig islet cells, $P<0.005$.

Transplantation of Encapsulated Pig Islets Elicits a Humoral Immune Response

Sera from 12 animals transplanted with encapsulated pig islets were analyzed, by Flow Cytometry, and compared to animals receiving non-encapsulated pig islets (n=2) and empty capsules (n=1). In all primates, the presence of anti-pig antibodies (IgM and IgG) was detected prior to transplantation thereby confirming the presence of preformed anti-pig antibodies (Fig. 5). No increase in IgM or IgG anti-pig antibodies was found in the sera of primates transplanted with empty capsules. In contrast, when primates were given non-

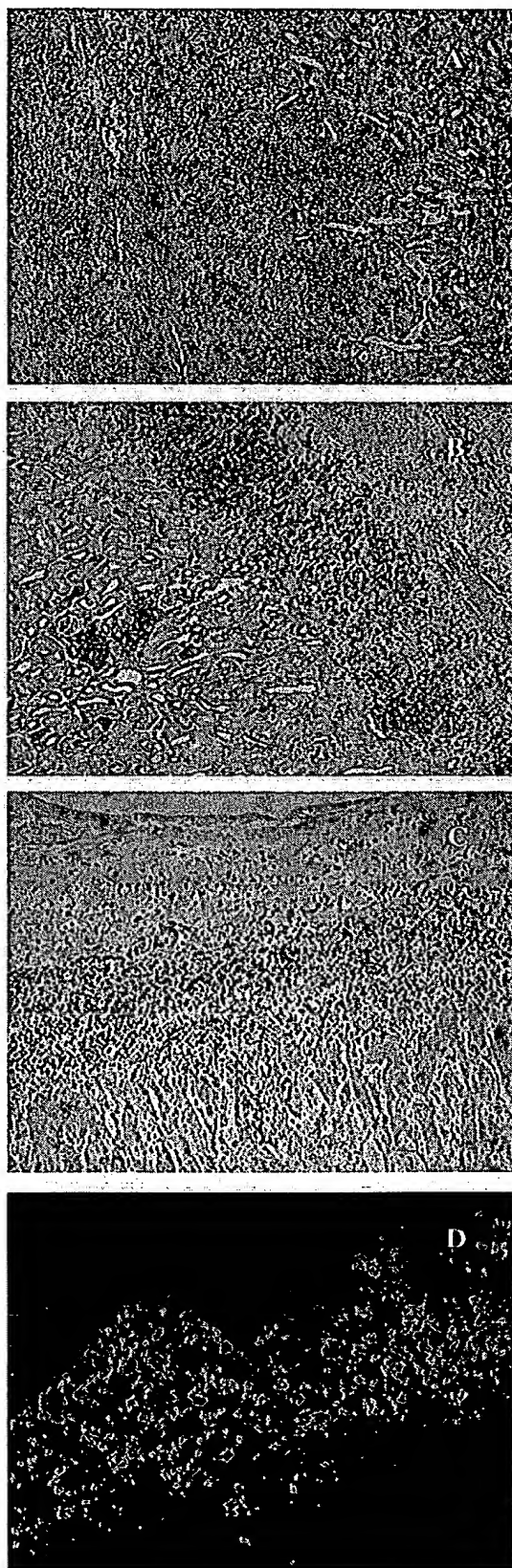


FIGURE 3. Cellular infiltration and graft destruction were observed 7 days after non-encapsulated pig islet transplantation. Very few insulin-positive cells were found ((A) insulin staining; original magnification: $\times 5$). Immunohistochemistry revealed massive CD3 (B) and CD68 infiltration (C) (original magnification: $\times 5$). Complement C3 deposition was observed on the graft (original magnification: $\times 10$, D).

encapsulated pig islets ($n=2$) the level of anti-pig IgM and IgG antibodies was strongly increased. When badly encapsulated islets ($n=2$), islets cultivated in bovine serum ($n=3$) or well encapsulated pig islets ($n=7$) were implanted a significant increase in the level of anti-pig IgM and IgG antibodies was observed as shown in Figure 5.

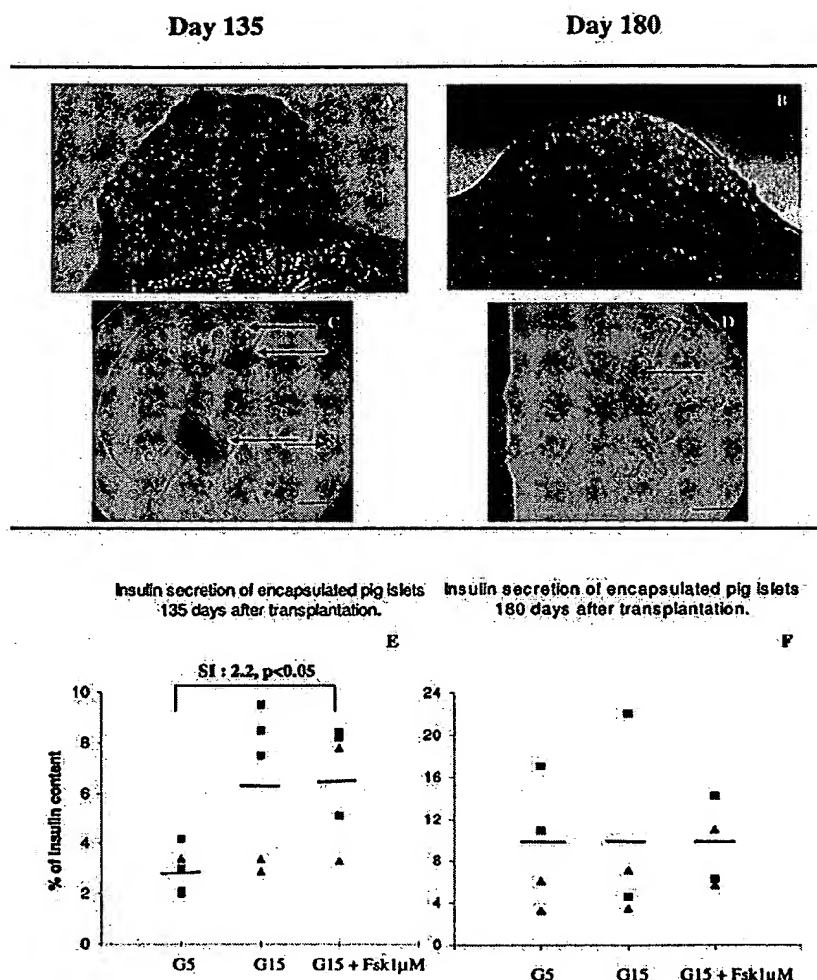
DISCUSSION

The first aim of this study was to demonstrate the biocompatibility of encapsulated pig islets for long-term (6 months) in primates and to evidence the parameters which significantly influence the compatibility of these capsules. The second major goal was to prove the concept by demonstrating that pig encapsulated islets are capable to respond to a hyperglycemic stimulus 6 month after implantation into the most stringent xenogeneic model and without immunosuppression.

Without encapsulation, pig islets are destroyed within 2 days of transplantation as evidenced by loss of C-peptide production and humoral and cellular rejection at immunohistology (16).

In order to prolong porcine islets viability without immunosuppression, pig islets were encapsulated following several parameters which allowed long-term viability and immunoprotection (17, 18). Pig islets were encapsulated in a highly purified high-M alginate cross-linked with Ca^{++} ions and the use of a very low endotoxin-containing alginate without additional permselective PLL coating seemed crucial (9, 19). Similarly, Duviver-Kali et al. and Omer et al. reported improved capsule integrity and pig islet viability up 3 months after transplantation in B6AF1 mice, by using similar alginate (10, 20).

Although recent experiments demonstrated improved stability after alginate cross-linkage with Ba^{++} , we tested alginate capsule cross-linkage with Ca^{++} followed by a preimplantation culture at a $[\text{Ca}^{++}]$ concentration of 1.8 mM (4, 5). This $[\text{Ca}^{++}]$ concentration was chosen after testing several lower and higher concentrations of CaCl_2 during preimplantation culture up to 24 hr. Although Ham F10/F12 medium corresponds to the optimal culture media for non-encapsulated adult pig islets culture, low $[\text{CaCl}_2]$ (0.3 mM) media induce capsule swelling and provoke disruption of capsule membranes which could expose pig tissue to the host immune system and thereafter to graft fibrosis and islet necrosis (17, 21). Following these *in vitro* data, the optimal concentration of 1.8 mM was selected as well as a culture period of 18 hr prior to implantation in order to stabilize the alginate capsules. Several commercial media contain a concentration of 1.8 mM CaCl_2 and CMRL 1066 was chosen to culture encapsulated pig islets since its efficacy for pig islet cultures is known (22). In three primates, encapsulated pig islets were



cultured in CMRL medium complemented with bovine serum, and severe graft destruction ensued one month after implantation. Although capsules were intensively washed prior to transplantation, bovine proteins could stick to the capsule surface and lead to the host immune system activation. Therefore, serum-free CMRL was then used to culture encapsulated pig islets in the following seven *in vivo* implantations and graft destruction was not evidenced.

The percentage of well-formed capsules also appears crucial for pig encapsulated islet biocompatibility. In fact, one primate which received stabilized encapsulated pig islets cultivated in free-serum medium, demonstrated 50% graft fibrosis 6 months after implantation. Retrospectively, this graft was composed by a high percentage (38%) of pig islets protruding outside the capsules (23).

Overall, these data suggest that encapsulated pig islets must be embedded in very pure alginate, cultivated for 18 or 24 hr in serum-free medium containing a concentration of 1.8 mM of CaCl_2 . In addition, the ratio of well formed capsules must be over 90% to obtain a long term *in vivo* biocompatibility in the pig to primate model.

Although the survival of encapsulated pig islets in dia-

betic monkeys was reported nine years ago but never confirmed by others teams (7), there is one recent and casuistic manuscript describing biocompatibility of alginate/polyornithine/alginate microcapsules after 8 weeks of implantation into non-diabetic primate (24). The present experimental work *in vivo* clearly demonstrates that implantation of optimized capsules might improved pig islet survival into primates without immunosuppression for up to 6 months. In this study, the monkeys were not diabetic since the first goal was to assess the biocompatibility of pig encapsulated islets and to prove the concept. The more important result obtained in this study was certainly the demonstration that 135 or 180 days after the implantation of encapsulated pig islets, some of the islets survived and were able to respond *in vitro* to a glucose challenge showing a stimulation index up to 2.2. This result demonstrates that pig islets survived up to 6 months in the most stringent xenogeneic pig to primate model without any immunosuppression. Evidently, among the explanted capsules there was a strong reduction of insulin content as compared to pretransplantation level (from 30 ng/islet up to 2 ng/islet), but the loss of surviving beta cells probably derived from multiple origins: the fact that (i) capsules

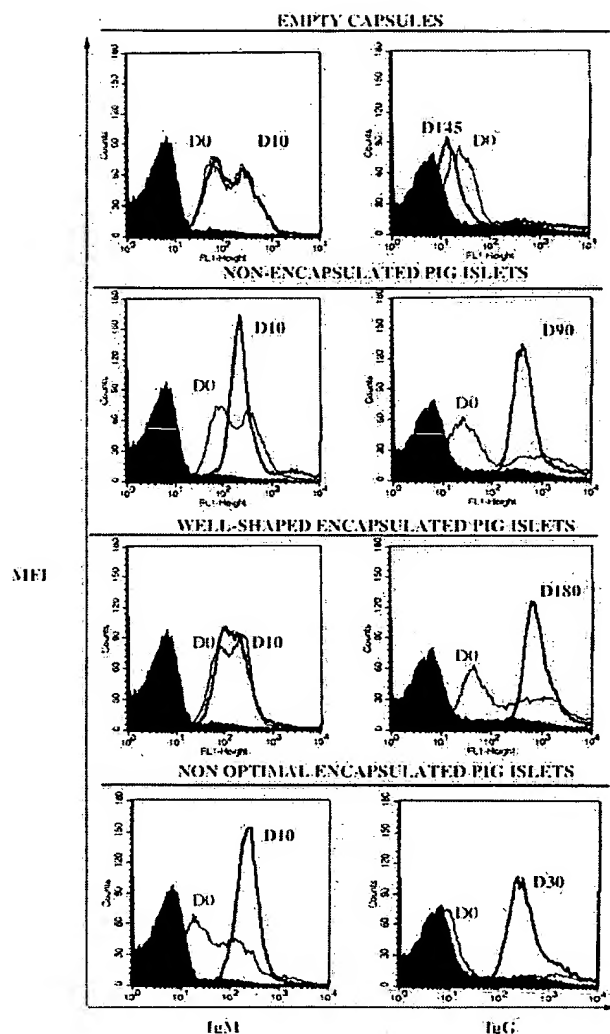


FIGURE 5. Representative development of anti-pig antibodies in primate sera prior to and after transplantation with empty capsules, non-encapsulated pig islets, well-shaped encapsulated pig islets (stabilized) and non-optimally encapsulated pig islets (left: IgM, right: IgG). All animals had preformed antibodies. When empty capsules were implanted, no change in the anti-pig IgM or IgG was observed, while in all animals receiving encapsulated pig islets a significant increase in IgG was evidenced thereby confirming immunisation.

were implanted in normoglycemic monkeys, that (ii) capsules were not injected following a monolayer which certainly induced a lack of oxygenation on the external layers of cells, that (iii) chronic rejection ensues due to continuous anti-pig IgG production or eventually, that (iv) cytokine release by encapsulated islets occurred (18). Regarding this latter parameter, however, it must be pointed out that cytokine release was clearly identified as a mechanism of islets loss when encapsulated islets were injected into the peritoneum which

seems a more inflammatory site than kidney space (Dufrane et al., manuscript submitted).

The site implantation under the kidney capsule was, used in this work, since local oxygen pressure is high and the recovery of capsules is rendered easy for analysis, but for clinical applications other sites should be investigated i.e. as subcutaneous space. The usual intra-portal way, used in clinical applications, would be impossible due to the capsules size which will induce hepatic thrombosis.

Some of the pig islets survived long-term despite a strong humoral anti-pig immune response. In fact, all the primates used in this study had preformed anti-pig antibodies of both IgM and IgG types. Despite the encapsulation, all primates developed an elicited anti-pig immune response as evidenced by the significant shift of both anti-pig IgM and mainly IgG antibodies by flow cytometry. When empty capsules were implanted under the kidney capsules, no humoral response was elicited up to day 145 after grafting thereby demonstrating that pig islets were responsible for the antibody response. Despite this antibody production, no rejection or fibrosis was evidenced thereby demonstrating the immune protection of the pig islets by the capsules (10). The immunization against pig proteins could be the consequence of a small percentage of pig islets not being encapsulated or simply prove that pig proteins might get out of the capsules (25), such as porcine C peptide (26).

In conclusion, this study demonstrated that several parameters must be in place to improve the biocompatibility and survival of encapsulated pig islets up to 6 months in the most stringent xenogeneic pig to primate model. This partial but long-term survival is obtained despite an ongoing anti-pig IgG response thereby showing that encapsulation protects the islets in the long term. Similar experiments are being performed in STZ-induced diabetic monkeys to demonstrate the usefulness of this approach in type I diabetes and the possible correction of hyperglycemia in vivo. In addition, the cellular graft is now being designed as a mono-layer graft to improve the oxygenation of beta cells.

ACKNOWLEDGMENTS

We are grateful to E. Legrand and G. Beaurin for technical assistance.

REFERENCES

1. Weir GC, Bonner-Weir S. Scientific and political impediments to successful islet transplantation. *Diabetes* 1997; 46: 1247.
2. Shapiro AM, Lakey JR, Ryan EA, et al. Islet transplantation in seven patients with type 1 diabetes mellitus using a glucocorticoid-free immunosuppressive regimen. *N Engl J Med* 2000; 343: 230.
3. Orive G, Hernandez RM, Gascon AR, et al. Cell encapsulation: promise and progress. *Nat Med* 2003; 9: 104.
4. Omer A, Duvivier-Kali V, Fernandes J, et al. Long-term normoglycemia in rats receiving transplants with encapsulated islets. *Transplantation* 2005; 79: 52.
5. Duvivier-Kali VF, Omer A, Parent RJ, et al. Complete protection of islets against allojection and autoimmunity by a simple barium-alginate membrane. *Diabetes* 2001; 50: 1698.
6. Schneider S, Feilen PJ, Brunnenmeier F, et al. Long-term graft function of adult rat and human islets encapsulated in novel alginate-based microcapsules after transplantation in immunocompetent diabetic mice. *Diabetes* 2005; 54: 687.
7. Sun Y, Ma X, Zhou D, et al. Normalization of diabetes in spontaneously diabetic cynomolgus monkeys by xenografts of microencapsulated porcine islets without immunosuppression. *J Clin Invest* 1996; 98: 1417.

8. Strand BL, Ryan TL, In't VP, et al. Poly-L-Lysine induces fibrosis on alginate microcapsules via the induction of cytokines. *Cell Transplant* 2001; 10: 263.
9. King A, Sandler S, Andersson A. The effect of host factors and capsule composition on the cellular overgrowth on implanted alginate capsules. *J Biomed Mater Res* 2001; 57: 374.
10. Duvivier-Kali VF, Omer A, Lopez-Avalos MD, et al. Survival of microencapsulated adult pig islets in mice in spite of an antibody response. *Am J Transplant* 2004; 4: 1991.
11. Korbitt GS, Mallett AG, Ao Z, et al. Improved survival of microencapsulated islets during in vitro culture and enhanced metabolic function following transplantation. *Diabetologia* 2004; 47: 1810.
12. Cooper DK, Gollackner B, Sachs DH. Will the pig solve the transplantation backlog? *Annu Rev Med* 2002; 53: 133.
13. Buhler L, Deng S, O'Neil J, et al. Adult porcine islet transplantation in baboons treated with conventional immunosuppression or a non-myeloablative regimen and CD154 blockade. *Xenotransplantation* 2002; 9: 3.
14. Rijkkelijkhuizen JK, Haanstra KG, Wubben J, et al. T-cell-specific immunosuppression results in more than 53 days survival of porcine islets of langerhans in the monkey. *Transplantation* 2003; 76: 1359.
15. Dufrane D, Goebbels RM, Fdilal I, et al. Impact of porcine islet size on cellular structure and engraftment after transplantation: adult versus young pigs. *Pancreas* 2005; 30: 138.
16. Kirchhof N, Shibata S, Wijkstrom M, et al. Reversal of diabetes in non-immunosuppressed rhesus macaques by intraportal porcine islet xenografts precedes acute cellular rejection. *Xenotransplantation* 2004; 11: 396.
17. Zimmermann H, Zimmermann D, Reuss R, et al. Towards a medically approved technology for alginate-based microcapsules allowing long-term immunoisolated transplantation. *J Mater Sci Mater Med* 2005; 16: 491.
18. De Vos P, Hamel AE, Tatarkiewicz K. Considerations for successful transplantation of encapsulated pancreatic islets. *Diabetologia* 2002; 45: 159.
19. Klock G, Pfeffermann A, Ryser C, et al. Biocompatibility of mannuronic acid-rich alginates. *Biomaterials* 1997; 18: 707.
20. Omer A, Duvivier-Kali VF, Trivedi N, et al. Survival and maturation of microencapsulated porcine neonatal pancreatic cell clusters transplanted into immunocompetent diabetic mice. *Diabetes* 2003; 52: 69.
21. Holmes MA, Clayton HA, Chadwick DR, et al. Functional studies of rat, porcine, and human pancreatic islets cultured in ten commercially available media. *Transplantation* 1995; 60: 854.
22. Brandhorst D, Brandhorst H, Hering BJ, Bretzel RG. Long-term survival, morphology and in vitro function of isolated pig islets under different culture conditions. *Transplantation* 1999; 67: 1533.
23. Basta G, Sarchielli P, Luca G, et al. Optimized parameters for microencapsulation of pancreatic islet cells: an in vitro study elucidating on islet graft immunoprotection in type 1 diabetes mellitus. *Transpl Immunol* 2004; 13: 289.
24. Elliott RB, Escobar L, Calafiore R, et al. Transplantation of Micro- and Macroencapsulated piglet islets into mice and monkeys. *Transplant Proc* 2005; 37: 466.
25. De Vos P, De Haan B, Pater J, Van Schilfgaarde R. Association between capsule diameter, adequacy of encapsulation, and survival of microencapsulated rat islet allografts. *Transplantation* 1996; 62: 893.
26. Lanza RP, Beyer AM, Chick WL. Xenogenic humoral responses to islets transplanted in biohybrid diffusion chambers. *Transplantation* 1994; 57: 1371.

PRV

PATENT- OCH REGISTRERINGSVERKET

Patentavdelningen

**Intyg
Certificate**

Härmed intygas att bifogade kopior överensstämmer med de handlingar som ursprungligen ingivits till Patent- och registreringsverket i nedannämnda ansökan.

This is to certify that the annexed is a true copy of the documents as originally filed with the Patent- and Registration Office in connection with the following patent application.



(71) Sökande Corline Systems AB, Uppsala SE
Applicant (s)

(21) Patentansökningsnummer 9900398-0
Patent application number

(86) Ingivningsdatum 1999-02-05
Date of filing

Stockholm, 2007-03-29

För Patent- och registreringsverket
For the Patent- and Registration Office

Svetlana LaMadrid

Svetlana LaMadrid

Avgift
Fee 170:-

**PATENT- OCH
REGISTRERINGSVERKET
SWEDEN**

Postadress/Adress
Box 5055
S-102 42 STOCKHOLM

Telefon/Phone
+46 8 782 25 00
Vx 08-782 25 00

Telex
17978
PATOREG S

Telefax
+46 8 668 02 66
08-668 02 66

05-FEB-99 FRI 14:14

BRANN PATENT UPPSALA A
+46 18 568939

FAX NO. +46 18 568939

P. 02

PRVPATENT- OCH
REGISTRERINGS-
VERKET**ANSÖKAN OM SVENSKT PATENT**☐ BEKRÄFTELSE AV TELEFAX – ANSÖKAN

Likalydande ansökningstext har ingivits

via telefax (datum)

Ink. t. Patent- och reg.verket

1999 -02- 05

Huvudföretag Konson

19990205 2 17904 230 3900398-
***1211

UPPFINNINGENS BENÄMNING	Novel use within transplantation surgery		
SÖKANDE Namn och adress. Om ombud saknas ange även Ert telefonnummer. För juridisk person anges organisationsnummer.	Corline Systems AB Box 956 751 09 UPPSALA Organisationsnummer		
UPPFINNARE Namn och adress	Se bilaga		
OMBUD Namn, adress och telefonnummer	<input checked="" type="checkbox"/> Undertecknad sökande befullmäktigad härmed nedanstående upplagna svenska ombud att träda mig i allt som rör denna patentansökning och i allt som rör det eventuellt beviljade pa <input type="checkbox"/> Sökande befullmäktigad nedanstående svenska ombud genom separat fullmakt. DR LUDWIG BRANN PATENTBYRÅ AB Box 1344, 751 43 Uppsala Ombudets ref nr Tel.nr. 018/56 89 00		
BEGÄRAN OM PRIORITET Datum, land och ansökningsnummer	---		
VID DEPOSITION AV MIKROORGANISM	Depositionsmyndighet Depositionsdatum Depositionen Stamansökningar Begrädd löpdag		
VID AVDELAD ELLER UTBRUTEN ANSÖKNING			
BEGÄRAN OM ITS- GRANSKNING	<input type="checkbox"/> Nyhetsgranskning av internationellt slag		
BILAGOR	<input checked="" type="checkbox"/> Beskrivning, patentkrav och sammandrag i tre exemplar <input checked="" type="checkbox"/> 3 ritningar i 3 exemplar <input type="checkbox"/> Överlåtelsehandling <input type="checkbox"/> Fullmakt följer <input type="checkbox"/> Sekvenslista på diskett EPOs program Patent In <input type="checkbox"/> Prioritetsbevis		
AVGIFT	Ansokningsavgift 3.800 kr Ansokningsavgift med ITS-granskning 7.000 kr Tilläggsgift, 100 kr för varje patentkrav utöver tio. Diarietbevis: 20 kr		
BETALNINGSSÄTT	<input type="checkbox"/> Postgiro <input type="checkbox"/> Bankgiro <input type="checkbox"/> Check <input type="checkbox"/> Kontant		

Uppsala den 5 februari 1999

Dn datum

DR LUDWIG BRANN PATENTBYRÅ AB

Underskrift

Ulla Aldenbäck

PRV 91 10 403 13 31 243

Förhållanden

Dokumentation
Volkallavägen 136Telefon
08-782 25 00Telefax
17978Telefax
08 666 02 86Telegram
PATOREGPostgiro
1 56 84 4

05-FEB-99 FRI 14:14

BRANN PATENT UPPSALA ▲
+46 18 568939

FAX NO. +46 18 568939

P. 03

Ink. & Patent- och reg.verket

1999 -02- 05

Huvudkontor Keroson

UPPFINNARE: namn och adress

Olle Korsgren
Tallmovägen 2 A
756 45 UPPSALA

William Bennet
Birger Jarlsgatan 34
114 29 STOCKHOLM

Bo Nilsson
Björkgatan 7 D
753 28 UPPSALA

Rolf Larsson
Blomstervägen 19
756 53 UPPSALA

05-FEB-99 FRI 14:15

BRANN PATENT UPPSALA A

FAX NO. +46 18 568939

P. 04

Ink. t. Patent- och reg.verket +46 18 568939

1999 -02- 05

1

Huvudföreläsaren Kossan

Title: Novel use within transplantation surgery**Field of the invention**

The present invention is within the field of transplantation surgery. More closely, the present invention relates to use of a clotting preventing agent in the production of a drug for administration in association with transplantation of cells and tissue, such as insulin producing cells to patients with insulin dependent diabetes mellitus, IDDM.

Background of the invention

The only option to achieve permanent normoglycemia in diabetic patients is a renewal of the β -cells, either by transplantation of segmental/whole pancreas or isolated islets of Langerhans. Transplantation of isolated islets is considerably less successful compared to whole pancreas transplantation. The immunological barrier, the underlying autoimmune disease and the immunosuppressive drugs used, are the same in both types of transplantation. Thus, there is no obvious immunological explanation as to why transplantation of whole pancreas is more successful than islet transplantation.

If, however, the problems related to the unsuccessful outcome of transplantation of islets were identified and a technical and practical solution was developed, obvious benefits for the patients would be created implying interesting commercial opportunities.

The prior art in this field is largely confined to measures aiming at reducing immunological reactions. WO 9711607 describes transplantation of microencapsulated insulin producing cells as a means of protecting the cells from immunological reactions and/or combined with treating the recipient with a substance that would inhibit an immune-system costimulation. WO 9105855 describes transplantation of islets of animal origin and that the

05-FEB-99 FRI 14:15

BRANN PATENT UPPSALA A

FAX NO. +46 18 568939

P. 05

Ink. t. Patent- och reg.verket

+46 18 568939

1999 -02- 05

2

~~Haraldsson Kesson~~
animal tissue should be modified to contain homologous complement restriction factors. DE 19623 440 A1 describes methods for encapsulation of islets and points out that the artificial encapsulation material may induce platelet activation, coagulation and complement activation, and therefore the encapsulation material should be modified to allow release of inhibiting substances as e.g., heparin, hirudin or Marcumar. US 5 635 178 is not related to transplantation of islets but describes monoclonal antibodies having inhibitory activity towards the terminal complex of complement and that such antibodies can be used to reduce activation of platelets and endothelial cells.

It is evident for those skilled in the art that measures aiming at inhibiting immunological reactions in connection with transplantation of islets regardless of being allogenic or xenogenic have not lead to a satisfactory result in respect of clinical outcome.

Summary of the invention

The present inventors have performed experiments implying adding human, adult porcine or fetal porcine islets to human whole blood and have been struck by the vigorous coagulation occurring when these islets were injected into human ABO-compatible blood. As judged by microscopical examinations it is evident that the islets are rapidly coated by a layer of platelets which soon develops into an organised thrombus. This biological event has previously not been considered and is now suggested to be a major explanation as to why the outcome of autologous islet transplantation has been comparatively unsuccessful. The present invention is related to measures to reduce this incompatibility reaction that can either be directed towards inhibiting activation of platelets, mono- or polymorphonuclear cells or the enzyme cascade of coagulation. Regardless of the initiating event, any of these reactions will lead to generation of thrombin, which eventually converts fibrinogen to fibrin. The generation of thrombin can easily be monitored by measuring the thrombin- antithrombin complex (TAT complex).

05-FEB-99 FRI 14:16

BRANN PATENT UPPSALA A

FAX NO. +46 18 568939

P. 06

Ink. t. Patent- och reg.verket^{+46 18 568939}

1999 -02- 05

3

~~Hovedföresättnen~~ Könsen

Hence, the present invention is concerned with therapeutic measures to inhibit TAT complex formation upon exposure of allogenic or xenogenic islets to whole blood.

Therefore, the present invention relates to a use of a clotting preventing agent in the production of a drug for administration in connection with transplantation of cells and tissue, such as insulin producing cells to patients with insulin dependent diabetes mellitus, IDDM.

Preferably, the clotting preventing agent is an anticoagulant, such as heparin or fractions or derivatives thereof. Alternatively, hirudin, oxalate, citrate etc. can be used.

In one embodiment of the invention, the islet cells are coated with heparin or fractions or derivatives thereof by precubation of islets in a solution containing heparin or fractions or derivatives thereof. Using a conjugate of heparin to coat the islets, it was demonstrated that the modified islets had acquired an increased capacity to adsorb antithrombin and loop experiments (described below) demonstrated that it is possible to reduce clotting by using such modified islets.

In an alternative embodiment of the invention, the preventing agent is an inhibitor of platelet activation, such as a RGD (standard one letter code for amino acids) containing peptide or a monoclonal antibody which inhibits the interaction of platelet integrins with their specific ligands. This antibody is for example a monoclonal antibody or a peptide directed against the Fc receptor on platelets.

A combination of anticoagulant and inhibitor of platelet activation can be used as clotting preventing agent according to the invention. Optionally the preventing agent(s) is/are supplemented by an inhibitor of complement.

05-FEB-99 FRI 14:16 BRANN PATENT UPPSALA 4

FAX NO. +46 18 568939

P. 07

Ink. & Patent och reg. verket 18 568939

1999-02-05

4

~~Huvudman Kesson~~

Furthermore, the invention relates to a method for increasing survival of islet cells in connection with transplantation of insulin producing cells to patients with insulin dependent diabetes mellitus, IDDM, comprising prevention of clotting, monitored as reduced generation of thrombin-antithrombin complex.

Detailed description of the invention

The invention will be described more closely below in association with the accompanying drawings, in which

Fig. 1 is a graph showing percent aggregation of platelets following addition of islets to platelet rich plasma, PRP, as a function of time;

Fig. 2 shows a similar graph as in Fig. 1 but here a RGDS (standard one letter code for amino acids) tetrapeptide was added to PRP before islets were added; and

Fig. 3 shows a similar graph as in Figs. 1 and 2 but here a monoclonal antibody against the Fc receptor on platelets was added to PRP before islets were added.

All the in vitro experiments for studies of islets contacting whole blood were performed in a tubing loop model. The experimental model is a modification of a model for testing biomaterials that has previously been described (J. Clin. Immunol. 16, 223-230 (1996)). Tubings made of polyvinylchloride (PVC, i.d. = 6.3 mm, length = 300 mm) were modified with immobilized heparin according to a method developed by Corline Systems AB (Uppsala, Sweden) as disclosed in international patent application no WO93/05793. Briefly, the polymer surface is modified with a high molecular weight amine compound to add primary amine groups to the surface. A soluble conjugate prepared by covalent binding of approximately 60 mol of heparin per mol of a straight-chained polyallylamine is irreversibly bonded onto the amine surface of the tubings. This procedure results in a total surface

05-FEB-99 FRI 14:17

BRANN PATENT UPPSALA

FAX NO. +46 18 568939

P. 08

Ink & Patent och reg. verket 46 18 568939

1999 -02- 05

5

Huvudföreläsning

concentration of heparin of approximately $0.5 \mu\text{g}/\text{cm}^2$. By using such heparin modified tubings it is possible to incubate the tubings with non-anticoagulated fresh human blood in a rocking device at 37°C for one hour with only moderate activation of blood (c.f. control column in Table 1 A and 1 B below). Unmodified tubings will invariably induce complete clotting at these experimental conditions. Addition of human islets or porcine adult or fetal islets lead to some remarkable observations. Complete clotting invariably occurred with a total loss of platelets, a sharp increase in the formation of TAT and a very significant increase in the markers of the early contact phase (FXIIa and FXIa) of coagulation (C.f. Table 1 A and 1 B). Histological examination revealed a dense layer of activated platelets immediately adjacent to the capsule of the islets.

The findings in vitro described above were confirmed in vivo by evaluation of porcine islets after intraportal transplantation in pigs. The porcine livers, removed 60 min. after islet transplantation, had a congested appearance with patchy dark discoloration's on the surface. In the portal veins blood clots were found, with a patchy adherence to the endothelium, and branching into the portal tree, partially occluding the vessels. The histological examination revealed islets entrapped in blood clots, with a disrupted islet morphology. Occasionally a fibrin tail could be observed extending away from the islet.

With reference to Table 1 B, it appears that the effect of adding an inhibitor of complement leads to reduced activation of complement, as expected, but there is no measurable effect on the clotting of blood or activation of platelets. If, however, soluble heparin was added to the experimental system there was a remarkable improvement in preservation of the number of platelets and reduced generation of TAT.

In another set of experiments the effects of inhibiting the interaction between platelet integrins and their specific ligands were investigated. With reference to Fig. 1-3, it appears that platelet aggregation is induced upon contact with

05-FEB-99 FRI 14:18

BRANN PATENT UPPSALA A

FAX NO. +46 18 568939

P. 09

Ink. t. Patent och registrering 18 568939

1999 -02- 05

6

Huvudföreläsare Karsen

islets and that such aggregation can be prevented by blocking platelet integrins or Fc-receptors.

Porcine islets were surface modified by incubation in a buffered solution containing a high molecular weight conjugate of heparin (Corline Heparin Conjugate), as disclosed in WO 93/05793, and then rinsed by changing buffer several times. It was demonstrated that the modified islets had acquired an increased capacity to adsorb antithrombin and loop experiments showed that heparin modified islets resulted in reduced clotting compared to unmodified islets.

It is easily understood by those skilled in the art that there is a broad arsenal of agents that can be used to accomplish reduced clotting, and hence, the following non-limiting Examples are only used to demonstrate the principle behind the present invention.

Example 1: Effect of soluble heparin

Sixty ml of non-anticoagulated blood was collected from healthy blood donors using heparin-coated equipment. U-shaped tubings with a total volume of nine ml were filled with eight ml of blood immediately followed by addition of isolated human islets or porcine adult or porcine fetal islets (500 IEQ). The tubings were then closed into loops using connectors of titanium furnished with immobilised heparin. The tubing loops were placed vertically in a rocking device and the complete apparatus was placed in an incubator at 37°C for up to sixty minutes. At the end of the rocking period blood was collected in EDTA and the number of cells were counted in a automatic cell counter. The blood samples were then centrifuged at 4°C (3290xg, 20 min) and EDTA plasma was collected and immediately put at -70°C. Islets retrieved after blood perfusion were prepared for immunohistochemistry. The results are summarized in Table 1A and 1B below.

05-FEB-99 FRI 14:18

BRANN PATENT UPPSALA A
Ink. t. Patent- och registrerings 568939

FAX NO. +46 18 568939

P. 10

1999 -02- 05

7

Huvudföreläsning Krossen /

Table I A shows results of blood cell counts and coagulation and complement parameters before and after 60 min. of human islet perfusion with ABO-compatible fresh human blood or blood supplemented with heparin.

Table 1A

Table 1A: Blood cell counts and coagulation and complement parameters before and after 60 min. of human islet perfusion with ABO-compatible fresh human blood or blood supplemented with heparin.

	BEFORE	CONTROL	HUMAN ISLETS	
			WITHOUT ADDITIVES	HEPARIN
Platelets ($\times 10^9$)	233 \pm 13.8	161.1 \pm 9.3	5 \pm 0.3***	114 \pm 17*
Neutro. ($\times 10^9$)	3.23 \pm 0.33	3.03 \pm 0.32	0.83 \pm 0.18***	2.56 \pm 0.43
Mono. ($\times 10^9$)	0.36 \pm 0.03	0.36 \pm 0.04	0.03 \pm 0.01***	0.28 \pm 0.06
Lymph. ($\times 10^9$)	1.91 \pm 0.12	1.77 \pm 0.12	1.29 \pm 0.12**	1.60 \pm 0.20
C3a (ng/ml)	84 \pm 4.7	507 \pm 115	1259 \pm 125.1***	565 \pm 143.6
C5b-9 (AU/mL)	15.6 \pm 2.9	95 \pm 30	213 \pm 43.4*	147 \pm 39.6
FXIIa-AT (umol/L)	0.09 \pm 0.01	0.36 \pm 0.15	12.9 \pm 0.9***	5.4 \pm 1.7**
FXIa-AT (umol/L)	0.06 \pm 0.01	0.12 \pm 0.03	1.74 \pm 0.48***	0.34 \pm 0.12*
TAT (ug/mL)	12.5 \pm 5.2	316 \pm 100	20337 \pm 1973***	4467 \pm 2285

Control loops contained blood and culture medium (RPMI), but no islets. All values are stated as the Mean \pm SE(M). TAT, Thrombin-antithrombin. The degree of significance is reported with respect to the controls. (* p <0.05; ** p <0.01; *** p <0.001; n.a. = not analysed).

Table I B shows results of blood cell counts and coagulation and complement parameters before and after 60 min. of adult and fetal porcine islet perfusion with fresh human blood or blood supplemented with the complement inhibitor C1 inactivator (C1-INa) or heparin.

05-FEB-99 FRI 14:19

BRANN PATENT UPPSALA A
+46 18 568939

FAX NO. +46 18 568939

P. 11

Int. t. Patent- och reg. verkst

1999-02-05

Huvudkonton Kassa

8

Table 1B: Blood cell counts and coagulation and complement parameters before and after 60 min. of adult and fetal porcine islet perfusion with fresh human blood or blood supplemented with CI-INA or heparin.

	BEFORE	CONTROL	ADULT ISLETS		FETAL ISLETS	
			WITHOUT ADDITIVE	CI-INA	HEPARIN	WITHOUT ADDITIVE
Platelets ($\times 10^9$)	237 \pm 8.0	171 \pm 9.0	4 \pm 0.1***	4 \pm 0	145 \pm 13.0	4 \pm 0***
Neutrophils ($\times 10^9$)	2.75 \pm 0.21	2.52 \pm 0.21	0.57 \pm 0.07***	0.41 \pm 0.13	3.00 \pm 0.19	1.44 \pm 0.17**
Monocytes ($\times 10^9$)	0.38 \pm 0.02	0.37 \pm 0.02	0.04 \pm 0.01***	0.15 \pm 0.01	0.35 \pm 0.05	0.07 \pm 0.01***
Lymphocytes ($\times 10^9$)	2.30 \pm 0.14	2.13 \pm 0.11	1.74 \pm 0.10*	1.23 \pm 0.38	1.88 \pm 0.11	1.68 \pm 0.25
C3a (ng/mL)	80.1 \pm 7.3	545 \pm 68	1435 \pm 173***	1094 \pm 78	486 \pm 139	1601 \pm 215***
C5b-9 (AU/mL)	15.8 \pm 1.8	72 \pm 10	283 \pm 34***	183 \pm 29	82 \pm 22	302 \pm 46***
FXIIa-AT (nmol/L)	0.18 \pm 0.03	0.13 \pm 0.00	8.96 \pm 1.38***	19.65 \pm 0.45	3.56 \pm 1.60**	n.a.
FXIIIa-AT (nmol/L)	0.04 \pm 0.00	0.03 \pm 0.00	4.14 \pm 0.48***	2.95 \pm 0.15	0.53 \pm 0.26	n.a.
TAT (ug/mL)	5.6 \pm 1.1	139 \pm 35	23886 \pm 3494***	30250 \pm 3450	505 \pm 162***	34420 \pm 4875

Control loops contained blood and culture medium (RPMI), but no islets. All values are stated as the Mean \pm SE(M). TAT, Thrombin-antithrombin. The degree of significance is reported with respect to the controls.
(* $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$; n.a. = not analysed).

05-FEB-99 FRI 14:19

BRANN PATENT UPPSALA A
+46 18 568939

FAX NO. +46 18 568939

P. 12

Ink. t. Patent- och reg.verket

1999 -02- 05

9

Huvudföreläsning Käsö

C1 inactivator reduced complement activation but had no detectable effect on the coagulation parameters. Soluble heparin, however, prevented clotting and there was a remarkable improvement with respect to platelet count and generation of TAT. Notwithstanding the results obtained by the use of C1-INa, it is obvious that it should be beneficial to combine an anticoagulant with an inhibitor of complement.

Example 2: Effect of platelet inhibitor

Platelets in platelet rich plasma (PRP) and gel filtered platelets were tested in an aggregometer. Islets were added to PRP and thereafter analysed in the aggregometer. It was shown that the islets induced aggregation of the platelets (Fig. 1) and that platelets number in the sample were reduced from 375×10^9 to 236×10^9 . If purified platelets without plasma proteins were used in combination with islets no aggregation and reduction in the platelet count were observed. In attempts to identify the mechanism behind the induced aggregation, an RGDS tetrapeptide to inhibit integrin binding and a monoclonal antibody against Fc receptors on platelets were used. Addition of the RGDS peptide totally abolished the aggregation and the consumption of platelets when islets were added to PRP (Fig. 2). A similar finding was obtained if the anti-Fc receptor antibody was added (Fig. 3).

Conclusion: The experiments show that islets bind to platelets when added to PRP. This binding induce activation and aggregation of the platelets.

Example 3: Effect of surface modification of islets using a heparin conjugate

Using Corline Heparin Conjugate (c.f. WO 93/05793) containing approximately sixty mol of heparin covalently bound to one mol of straight-chained carrier, adult porcine islets were modified by irreversible adsorption of the heparin conjugate onto the surface of the islets. This was

05-FEB-99 FRI 14:20

BRANN PATENT UPPSALA A
+46 18 568939

FAX NO. +46 18 568939

P. 13

Ink. t. Patent- och reg.verket

1999 -02- 05

10

Huvudföreläsning

accomplished by incubating the islets for 30 minutes at 37°C in a buffered saline solution containing heparin conjugate.

The presence of heparin at the surfaces of the islets was demonstrated by an ELISA assay for islet surface associated antithrombin (AT). Unmodified and heparin modified islets were incubated in human plasma for thirty minutes and then rinsed several times by changing buffer. The islet were then incubated with anti-AT that had been labelled with biotin. Using IIRP-labelled streptavidin the uptake of anti-AT could be semiquantitatively estimated. The uptake of anti-AT on the heparin modified islets was three times higher than that on the unmodified islets showing that biologically active heparin was present on the surface of the islets. Testing of heparin modified islets in the tubing loop model resulted in less clotting compared to unmodified islets.

The present invention is expected to significantly improve the situation for IDDM patients. By administering an anticoagulant and/or inhibitor of platelet activation, optionally in combination with surface modification of islets, and optionally together with a complement inhibitor, in association with transplantation of insulin producing cells it is expected that the need of providing these patients with injections of insulin will be substantially decreased or even eliminated.

BEST AVAILABLE COPY

Ink t. Patent och reg. verket

11

1999 -02- 05

Huvudföredraget

CLAIMS

1. Use of a clotting preventing agent in the production of a drug for administration in connection with transplantation of insulin producing cells to patients with insulin dependent diabetes mellitus, IDDM.
2. Use according to claim 1, wherein the inhibitor is an anticoagulant.
3. Use according to claim 2, wherein the anticoagulant is heparin or fractions or derivatives thereof.
4. Use according to claim 3, wherein islet cells are coated with heparin or fractions or derivatives thereof by preincubation of islets in a solution containing heparin or fractions or derivatives thereof.
5. Use according to claim 1, wherein the preventing agent is an inhibitor of platelet activation.
6. Use according to claim 5, wherein the preventing agent is a RGD containing peptide or a monoclonal antibody which inhibits the interaction of platelet integrins with their specific ligands
7. Use according to claim 5, wherein the preventing agent is a monoclonal antibody or a peptide directed against the Fc receptor on platelets.
8. Use according to claims 5-7, wherein the inhibitor of complement is combined with an anticoagulant according to claims 2-4.
9. Use according to any of the above claims, wherein the preventing agent(s) is/are supplemented by an inhibitor of complement.

BEST AVAILABLE COPY

05-FEB-99 FRI 14:21

BRANN PATENT UPPSALA A

FAX NO. +46 18 568939

P. 15

Ink. t. Patent- och reg.verket

+46 18 568939

1999 -02- 05

12

Huvudsaken Kassen

10. Isolated cells comprising islets of Langerhans, characterized by being coated with a heparin conjugate on the islet surface.

11. A method for increasing survival of islet cells in connection with transplantation of insulin producing cells to patients with insulin dependent diabetes mellitus, IDDM, comprising prevention of clotting, monitored as reduced generation of thrombin-antitrombin complex.

05-FEB-99 FRI 14:21

BRANN PATENT UPPSALA ▲
+46 18 568939

FAX NO. +46 18 568939

P. 16

Ink. t. Patent- och reg.verket

13

1999 -02- 05

ABSTRACT~~Muvudföreskriv~~

The present invention is within the field of transplantation surgery. More closely, the present invention relates to use of a clotting preventing agent in the production of a drug for administration in association with transplantation of insulin producing cells to patients with insulin dependent diabetes mellitus, IDDM. The invention is expected to significantly improve the clinical outcome of transplantation of islets of Langerhans.

05-FEB-99 FRI 14:22

BRANN PATENT UPPSALA A
+46 18 568939

FAX NO. +46 18 568939

P. 17

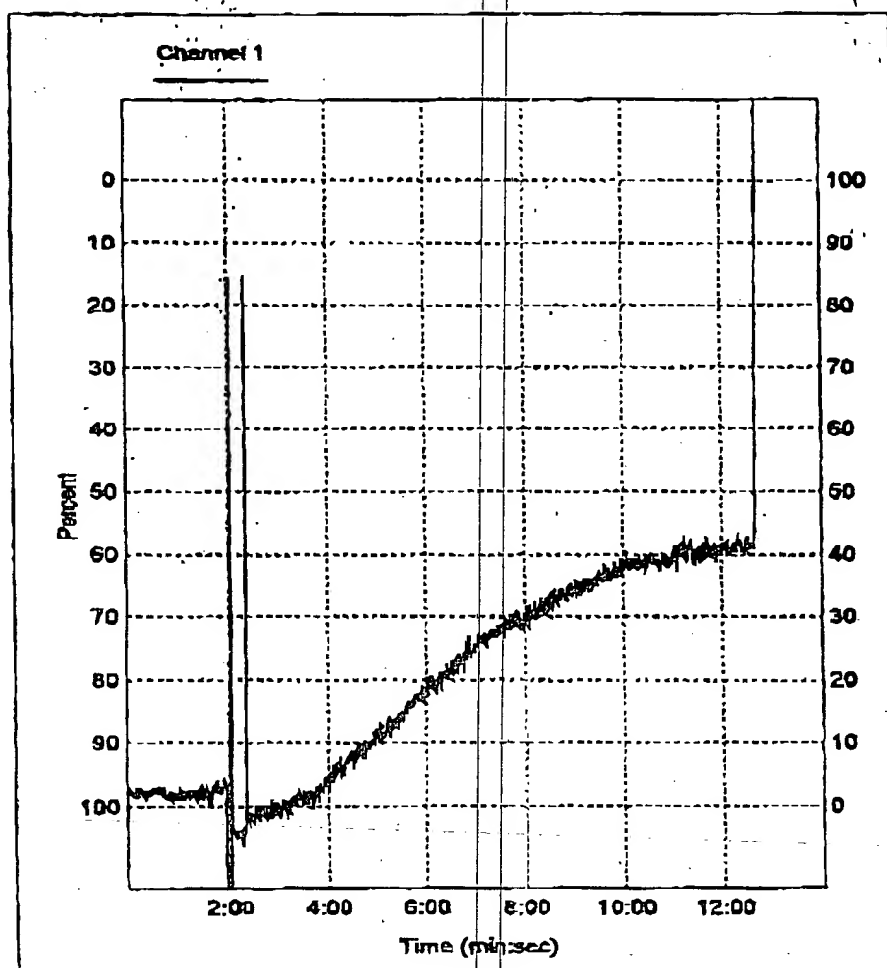
Int. t. Patent- och reg.verket

1999 -02- 05

Huvudfaxen Kassa

1/3

Fig. 1



BEST AVAILABLE COPY

05-FEB-99 FRI 14:22

BRANN PATENT UPPSALA ▲
+46 18 568939

FAX NO. +46 18 568939

P. 18

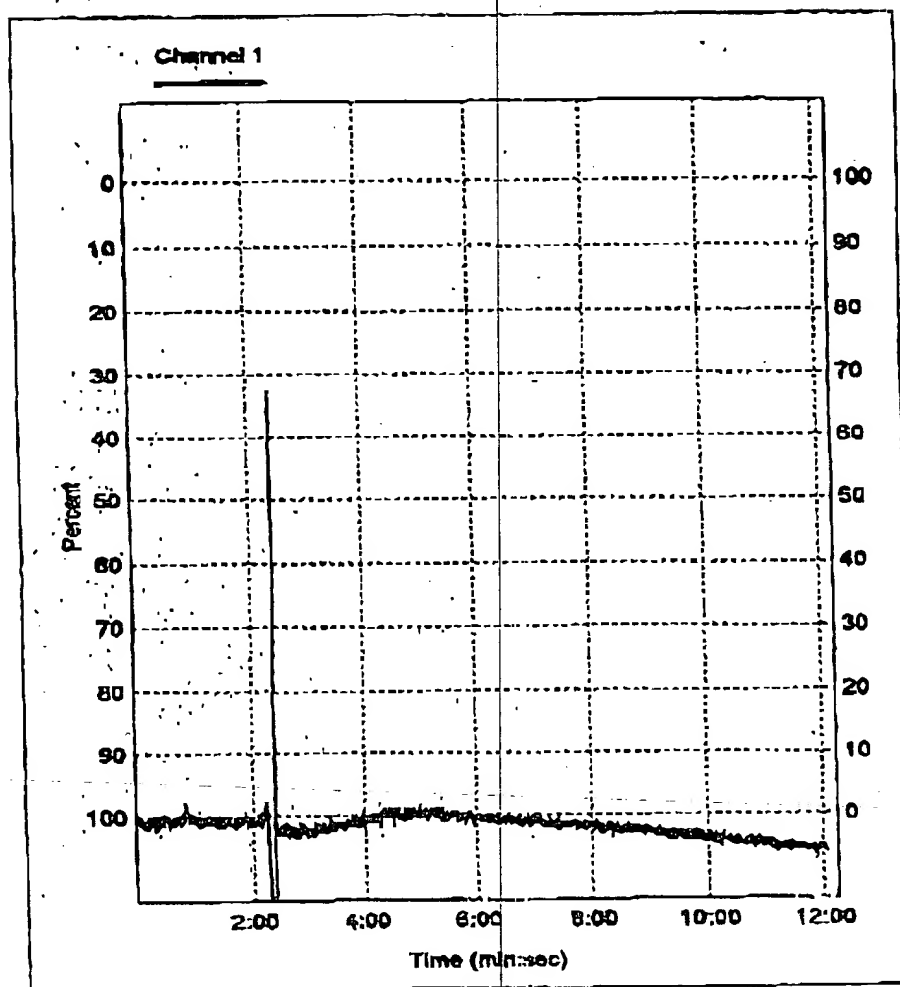
Ink. t. Patent- och reg. verkst

1999 -02- 05

Huvudkontor Köpenhamn

2/3

Fig. 2



BEST AVAILABLE COPY

05-FEB-99 FRI 14:23

BRANN PATENT UPPSALA ▲
+46 18 568939

FAX NO. +46 18 568939

P. 19

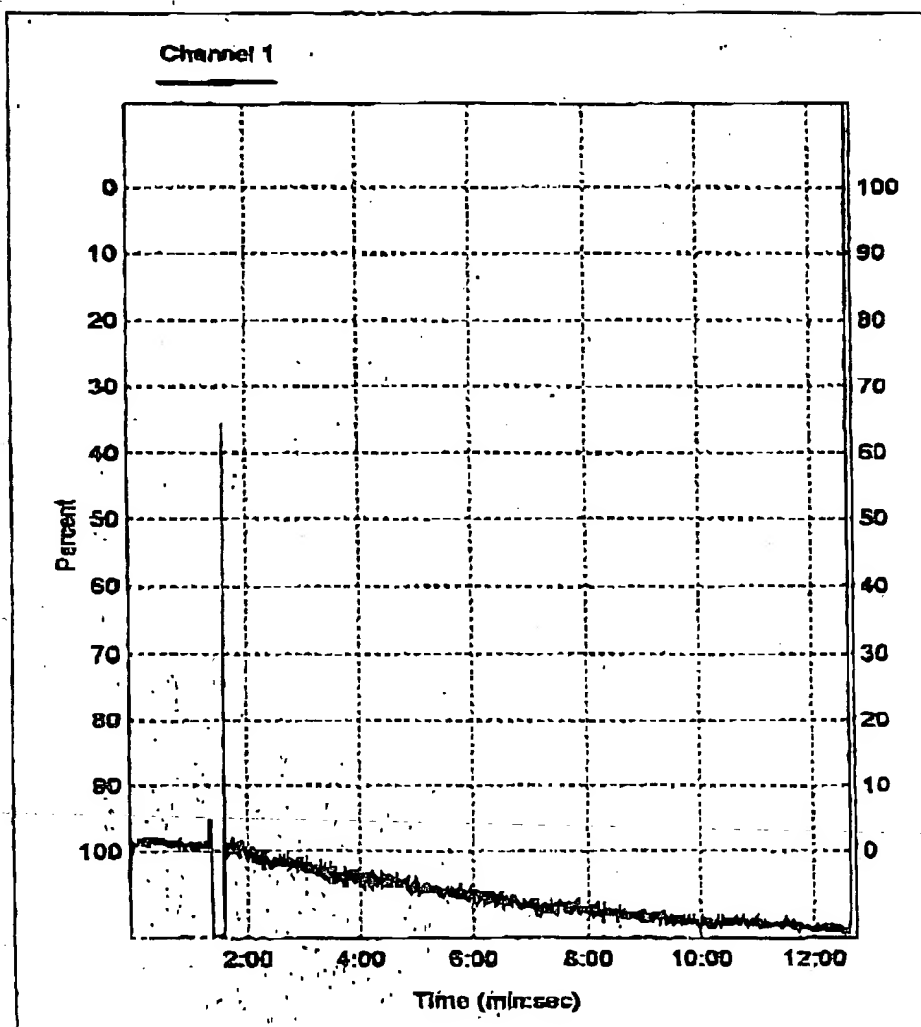
Int. t. Patent- och reg.verket

1999-02-05

3/3

Huvudföreläsning

Fig. 3



**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☒ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.